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Hogan, John

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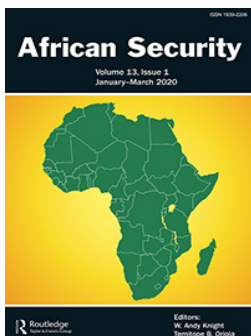
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Competing Architects: Applying Social Contextualist Analysis to Negotiations on the African Peace and Security Architecture

John J. Hogan

International Relations and International Organisation, University of Groningen, Groningen, The Netherlands



ABSTRACT

Social contextualist analysis, by contrast to much of the existing research on international negotiations, emphasizes the social and organizational environment in which negotiations take place and the effect that it can have on the decision-making of participants. This paper applies a social contextualist lens to negotiations held to decide upon the form and function of the African Peace and Security Architecture (APSA). Certain elements of the Architecture, which is one of the central pillars of the African Union (AU), present something of a puzzle for theorists, given the cession of sovereignty they represent on a continent where leaders have traditionally been very protective of their authority. After illustrating the limited value of the most prominent approaches to negotiation analysis, the social contextualist framework is outlined. The analysis incorporates negotiations held to decide upon a number of features of APSA. Its findings rest upon interviews conducted with representatives from AU member states and AU officials, as well as examination of a broad range of primary and secondary documents. In highlighting the significance of factors that are generally overlooked by traditional approaches, a case is made for greater consideration of social contextual factors in analysis of international negotiations.

KEYWORDS

International negotiation; international security; African Union; African Peace and Security Architecture

Much of the analysis of international negotiations between states has been guided in recent decades, though not always explicitly, by the tenets of two theoretical paradigms, which P. Terrence Hopmann labels ‘bargaining’ and ‘problem solving’.¹ Despite being pitched as competing camps, however, the bargaining and problem solving approaches share much in common, most significantly an emphasis on rational actors using cost-benefit strategies to maximize their individual utility. Critics have argued that grounding analysis in such assumptions diminishes or ignores other salient factors that can bear considerable influence over the evolution and outcome of negotiations. An alternative approach focuses upon the social context in which negotiations take place, working under the

CONTACT John J. Hogan  j.hogan@rug.nl  International Relations and International Organisation, University of Groningen, Groningen, The Netherlands

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premise that actors involved in negotiations are inherently social decision-makers, susceptible to the influence of their social and organizational environment.² This article applies an analytical lens, informed by this social contextualist approach, to an international negotiation process that differs in a number of ways from the scenarios envisioned by the bargaining and problem solving schools of thought. In doing so, it sheds some light on highly significant negotiations from the formative stages of the African Union (AU) that have received almost no scholarly attention to date. The data used for the analysis is primarily the product of fieldwork I undertook in 2017, which involved interviews with policymakers, advisers and diplomats from the governments of South African President Thabo Mbeki and his Nigerian counterpart, Olusegun Obasanjo, the latter of whom also participated in an interview. In addition, I conducted interviews with a variety of AU Commission (AUC) officials as well as archival research at the AU Headquarters in Addis Ababa, Ethiopia and other institutional repositories in South Africa and Nigeria.

The African Peace and Security Architecture (APSA) is a framework of structures, objectives, principles and decision-making mechanisms established by the AU, in the years preceding and following the organization's establishment in 2002, to prevent, manage and resolve crises and conflicts on the continent. Certain aspects of the framework represent a major departure from how collective security was traditionally handled by African states, as well as a seeming contradiction to the foundational assumptions of the dual approaches that have guided much of negotiation analysis within the discipline of international relations. To begin, a short background to the establishment of APSA is provided, followed by a brief sketch of the field of negotiation analysis. Next, the strands of the social contextualist approach are outlined, before an explanation is laid out of how the approach is operationalized within the given case study. This is followed by the analysis, which precedes some final concluding remarks. Ultimately, the article argues that the social contextualist approach illuminates factors that are often overlooked in international negotiation analysis, but which are critical to understanding the outcome of the negotiations held to decide upon the AU's security architecture.

Background

Though it was founded in 1963 to facilitate cooperation between Africa's newly independent states, by the mid-1990s the Organization of African Unity (OAU) had acquired the title of 'The Dictator's Club' due to its members' unwillingness to reprimand governments responsible for human rights violations. The Organization's successes, which included supporting liberation movements and fostering cultural cooperation, had been overshadowed by its failings as a guarantor of peace and security in Africa. Central to its ineffectiveness was the emphasis the OAU's founding Charter put on noninterference in states' internal affairs and the sacrosanct status it assigned to state sovereignty.³ Though some

very modest efforts were made over the years to increase its mandate as a security actor, generally such efforts were highly restricted by members' lack of enthusiasm for any initiative that could imperil their hold on power or subject their domestic governance to scrutiny.⁴ An effort to address this organizational shortfall was made by the OAU's Secretary General Salim Ahmed Salim, who in 1992 proposed a reinterpretation of the norm of noninterference, a renewed focus on democracy and human rights, and the establishment of an OAU peacekeeping force.⁵ However, the Secretary General's proposals were met with strong opposition by governments.

When I formally presented the proposal for the establishment of the mechanism and included the notion of peacekeeping operations, minister after minister bashed the idea and the Secretariat, claiming that peacekeeping was not Africa's business. They said it was the UN's mandate and business.⁶

The following year, Salim succeeded in introducing far more modest reforms at the OAU, with no peacekeeping role assigned to the organization and no real ability to monitor the internal governance of member states. In the years that followed, the genocide in Rwanda and a number of major conflicts elsewhere on the continent would lay bare the inadequacy of the security reforms to which the heads of state had agreed in 1993.

In 1999, a number of critical political outcomes laid the groundwork for the end of the OAU and the establishment of its predecessor, at the core of which was a much reformed security framework. Within a few months of one another, Thabo Mbeki, Olusegun Obasanjo and Abdelaziz Bouteflika won election victories in South Africa, Nigeria and Algeria respectively. Each of the new presidents had broadly similar visions for how security and other competences of the OAU could be significantly reformed. None, however, had reform visions that involved the replacement of the Organization. The trigger for that decision also came in 1999, at the OAU Algiers Summit, where Libyan leader Muammar Gaddafi called for an extraordinary summit, which he would host in Libya, to discuss ways of making the Organization more effective.⁷ Although Gaddafi had traditionally prioritized relations with Arab states over those with his African neighbors, he had been disappointed with the lack of support he received from the Arab League in the face of international sanctions in the 1990s. In response, he turned toward Africa, even going so far as to declare in 1998 that "the Arab world is finished".⁸ Though the reform-minded leaders were suspicious of Gaddafi's hegemonic intentions, they readily acceded to his call for an extraordinary summit, happy that the foundation had been laid for reform without their having to meet the enormous cost of hosting the additional meeting.⁹

At the summit in Sirte, Libya, talk of reform fast turned to discussion of replacement. It was also quite apparent from the outset that Gaddafi's vision for the new organization, involving a single federal African state with a unified continental army and government headquartered in Libya, was radically different

from the democracy and human rights-focused emphases of Mbeki, Obasanjo and Bouteflika.¹⁰ The summit ended with only a declaration calling for the establishment of a new organization and the accelerated political and economic integration of Africa.¹¹ Such divisions would mark negotiations that took place over the next number of years, many of which focused upon how the AU would handle collective security issues. The eventual framework agreed upon for APSA was far more along the lines of that favored by the reform-minded leaders than Gaddafi. Most significant amongst the changes from the OAU are a domestic focus on the promotion and protection of human security, democracy and constitutional governance, as well as the establishment of the AU's right to intervene in a member state under grave circumstances, such as war crimes or genocide.¹² At the center of APSA is the AU Peace and Security Council (PSC), which holds considerable powers, including decision-making over the deployment of peace support missions, the application of sanctions, and recommendations to the AU Assembly regarding interventions in member states. In another deviation from the OAU's focus on the protection of state sovereignty, the PSC – unlike the comparable UN Security Council (UNSC) – has no permanent members and each seat-holder has an equal, single vote.¹³ Despite such momentous changes between the OAU and the AU, the factors which led to the security policies of the latter have very rarely been at the core of investigations by either scholars of international relations or history. Even less analysis has been conducted specifically on the negotiations held between OAU/AU members to decide upon the form of APSA.

Theorizing and researching international negotiation

While international relations scholars have drawn upon the insights of law,¹⁴ anthropology,¹⁵ social psychology¹⁶ and several other disciplines to analyze international negotiations, a significant proportion of the field is guided by the principle of viewing negotiations as a bargaining process involving rational actors, following the lead of research in the fields of economics and cognitive science. Hopmann divides negotiation theory into two major paradigms, which he labels bargaining and problem solving approaches.¹⁷ He acknowledges, however, that the latter is an expansion of bargaining theory and that the paradigms could also be described using terms developed by Walton and Mckersie, namely distributive and integrative bargaining.¹⁸ This latter point is made to highlight that the conceptual space between bargaining and problem solving is not as great as it might initially seem. For ease of distinguishing between the two approaches, however, I will stick with the bargaining and problem solving labels formulated by Hopmann.

The bargaining approach, with its origins in realist theorizing, focuses upon states with fixed and unitary interests, which diplomats work to maximize through negotiation. Negotiation outcomes are judged primarily by the utility they produce for the state, actors' tactics are assumed to be largely competitive, with threats and promises employed.¹⁹ The negotiating parties maintain a willingness to “forego

agreements that will produce benefits greater than the status quo of their next best alternative to an agreement, if their potential competitors are perceived to be gaining more than they from the agreement”.²⁰ By comparison, the problem solving approach shares common underlying principles with the liberal (or liberal institutionalist) paradigm, by virtue of its more optimistic outlook on the likelihood of international cooperation. Rather than viewing the negotiating space as competitive, where states ‘claim value’, this approach emphasizes the possibilities for solving common problems by searching for solutions that benefit all, thereby ‘creating value’.²¹ Unlike the bargaining approach at its extreme, problem solving analysis assumes that a state can accept an agreement that also serves the interests of other negotiating parties. In common with the bargaining approach, it assumes that states are driven by the motivation to realize interests, but it adopts a more complex view of how those interests are derived, allowing for interconnectedness between policy areas, policy interdependence between states, and the influence of important actors within the state. International regimes and organizations are also accorded a more central role by the problem solving approach, providing mediation, and creating rules and norms that both constrain state behavior and facilitate cooperation.²²

Though the problem solving approach foresees greater opportunity for agreement and cooperation due to its consideration of a broader range of factors, it essentially still operates under the assumption of rational actors utilizing calculative strategies to maximize their individual utility.²³ As is often the case in studies that fall under the bargaining approach, game theory is also commonly used to explain cooperation in the problem solving tradition.²⁴ For some, however, the predominance of negotiation analysis informed by the discipline of economics results in an overemphasis on “autonomy, competition and rationality”.²⁵ One of the costs of this trend is a downgrading in the perceived importance of the social context to negotiations. Researchers come “to speak as if negotiation, bargaining and mediation occur during experiential ‘time outs’. That is we portray such activities as bounded encounters into which actors knowingly enter and during which they employ behaviors calculated for those situations alone”.²⁶

An attempt to address this overemphasis on individualistic rationality at the cost of social context was made in the collection, *Negotiation as a Social Process*, edited by Roderick Kramer and David Messick. In order to understand negotiation, they argue, one must take into account the impact of the social and organizational environment in which the negotiation is inevitably embedded. In reality, negotiations often take place between actors that have previously negotiated with one another or already share preexisting interpersonal or intergroup relationships. Even when they do take place between strangers, however, there is still a “backdrop of social and cultural expectations about norms, roles, duties, obligations, and so on”, all of which can condition negotiators’ strategies, goals and conceptions of self-interest.²⁷ In

its assumptions, the social contextualist perspective is closer to the problem solving than the bargaining paradigm, given the former's allowances for the effect of norms established within international organizations and regimes. However, there is enough difference between them to warrant making a distinction in the literature and to expect different results from analyses guided by one or the other approach. Studies that focus upon the context in which negotiations take place consider actors to be essentially social decision-makers, which distinguishes them from the undersocialised economic and game-theoretic formulations of decision-making utilized by the bargaining and problem solving approaches.

Research that puts special emphasis on social context is not entirely absent from the study of international negotiations, though it is somewhat marginalized. Schoppa argues that in economic negotiations between the United States (US) and Japan, the social context informed the range of 'legitimate' tactics that governments would employ.²⁸ Having started from a position in which Japan accepted it was in a hierarchical relationship with the US and considerable trust existed between the two sides, a change in the relationship was triggered by the end of the Cold War, the establishment of the World Trade Organization (WTO) and a generational transition between old and new elites. This created a new context that was far less conducive to the Americans' long-standing use of coercive tactics in negotiations. Similarly, in his analysis of negotiations between Chinese and Western actors, Faure found that culture was a dynamic social dimension with significant capacity to influence the actors, their strategies and the outcome of the interaction.²⁹ In their comparative analysis of negotiations between different cultures, Ramirez-Marín and Brett critique the theoretical treatment of negotiations as "strategic interaction practiced by rational, unemotional actors", and argue that in many Latin cultures, building a relationship takes priority over materialist goals that would normally be the primary concern in Anglo cultures.³⁰

As the above examples indicate, much of the negotiation research that investigates the effect of social context tends to have a partial or complete focus on negotiation processes and actors outside of the European or American context. Unfortunately, however, international negotiation analysis – regardless of the prominence it affords to social context – has largely overlooked Africa. Much of the relatively paltry research that has been conducted on negotiation processes involving African actors tends to focus on conflict resolution efforts.³¹ While such research has undoubted value, it concerns negotiations that are quite different from those held to construct the APSA framework, with the conflict resolution literature being distinguished by factors such as simmering grievances, distrust, ongoing or imminent violence, and more immediate and dire consequences to non-agreement. The edited collection *African Agency in International Politics* does provide a rich analysis of various negotiation processes across a variety of issues, all of which featured African actors.³² However, in each

case, the focus is on the interaction of African negotiators with non-African counterparts. Far more difficult to discover is research that has focused on international negotiations held with just African governments at the table.

Negotiation theory and APSA

As the earlier background description indicates, some of the circumstances and outcomes of the negotiations held to decide upon the content and structure of APSA do not fit easily into the typical scenarios envisioned by the bargaining or problem solving approaches. The negotiations being addressed in this article were not concerned with a division of goods, in an economic sense, but were rather focused upon the nature and scope of future security cooperation between AU member states. The problem solving approach, then, would probably be a more appropriate analytical lens, given its emphasis on finding agreements that serve, at least in part, the shared self-interested goals of participants. However, while analysis undergirded by problem solving theory would seem a better fit than the bargaining approach, reasons to question its suitability remain. For one, a significant cohort of the leaders that so strongly rejected Secretary General Salim's more modest security reforms in 1992 were still at the helm of their states in the period during which the APSA negotiations took place. Of the 52 heads of state that sat in the OAU Assembly in 1992, 23 were still leading their countries for the 2002 inaugural summit of the AU. Of the 29 governments that had changed leader in that period, five still had the same party in power as in 1992, a further three of that number had governments in 2002 that had taken power through unconstitutional means and a further two (Liberia and Sudan) had leaders that would go on to be indicted (and convicted in the Liberian case) of war crimes. Given the make-up of the group and their wholehearted rejection of Salim's 1992 proposal, it is something of a puzzle to understand how a far more radical repurposing of the organization a decade later represents the realization of shared, self-interested goals. That said, the interim period had also seen the arrival of reformers at the OAU, such as Mbeki and Obasanjo, who led powerful states and could potentially use leverage to achieve their desired outcomes. An analysis, guided by the problem solving approach, could investigate whether the interconnectedness of states' interests was utilized by such local hegemony to realize their self-interested preferences over those of others. However, the primacy of self-interest within the approach might struggle to account for why such powerful states would agree to the establishment of the PSC in a form that accorded no special privileges to those larger governments that would bear the greatest future burden for keeping and enforcing the peace.

Of course, in reality negotiations follow a variety of logics, depending on the topic being discussed and the actors involved at different times. The problem solving approach may well provide valuable insights into the APSA negotiations that would be less likely to be noticed using the social contextualist framework.

However, given its emphasis on the effect of social dynamics on actors' perceptions of their interests, the latter paradigm holds promise for explaining those decisions that stray the furthest from what would be expected of actors with rationally-derived, self-interested considerations in the traditional sense. This alternative lens holds potential for explaining 'non-rational' negotiation outcomes that are not easily accounted for by the problem solving or bargaining perspectives. In order to better gauge the suitability of the social contextualist approach to understanding the evolution and outcome of the APSA negotiations, a more developed analytical framework and methods for testing is formulated in the next section. Thankfully, a considerable share of the legwork in this regard has been completed by Jönsson in his 2015 article 'Relationships between Negotiators: A Neglected Topic in the Study of Negotiation'.

Social contextual analytical framework

By his own admission, Jönsson's description of the key dimensions of the social contextual approach does not amount to a fully developed model. It does, however, "initiate a discussion of an all too long neglected social process perspective", which he hopes can be developed by others in order to achieve a richer understanding of international negotiations.³³ This article aims to continue that discussion by applying the social contextual model to a unique case study, the outcome of which serves as something of a puzzle for the most commonly used traditional approaches to negotiation analysis. Doing so will help develop the model further, by adding to the cumulative knowledge about its usefulness and serve as a basis for further research on international negotiations in the future. Jönsson identifies three crucial background factors or preconditions under which social relations are more likely to become a significant factor in negotiations. Under circumstances in which those preconditions are met, he identifies a further three dimensions in which the consequences of the development of social relations are likely to be observable. Both the pre-conditions and the consequences are undergirded by the assumptions, drawn from Kramer and Messick, that negotiators are inherently social actors and negotiation processes and outcomes are influenced by the social and organizational environment within which they are embedded.³⁴

The first of the three pre-conditions relates to whether negotiations are continuous or single encounters. In this regard, the social contextual approach shares a similarity with rationalist and game-theoretical models, which highlight the effect of the 'shadow of the future' in iterated interactions between actors.³⁵ From the perspective of the social contextualist approach, however, factors beyond the strategic incentive to develop a reputation for reliability are also at play. Expectations of cooperative future interaction increases the likelihood of positive interpersonal relations developing between negotiators and greater responsiveness to the needs of other sides in the negotiation.³⁶ The second precondition that

indicates the increased relevance of social relations centers on whether the negotiations are characterized more by bargaining or problem solving. As already indicated, bargaining scenarios are more competitive and associated with the scoring of relative gains, whereas problem solving scenarios relate more to the tackling of common problems and the achieving of joint gains.³⁷ Within the latter scenario, the less adversarial environment is expected to allow for the greater influence of social processes. It should be noted that ‘bargaining’ and ‘problem solving’ are being used here to describe the character of negotiations, as opposed to the two traditional approaches to studying negotiations, described earlier. The third and final precondition relates to whether there is a preexisting relationship between negotiators. Where the rational-choice tradition privileges autonomous individuals, the social contextualist approach privileges relationships between individuals, “understood as the meaning assigned by them to their connectedness and the set of cognitions determining their posture towards each other”.³⁸ Where such social dynamics are already at play prior to the beginning of negotiations, it is more likely that they will have an effect on the process and the outcome.

If the above three preconditions are met, Jönsson argues that consequences to the development of social relations are likely to be observed across three broad dimensions. The first of these relates to loyalties and identities. Though actors engage in negotiations as representatives of their state, within multilateral negotiations that satisfy the preconditions, parties become more likely to identify with a group. A consequence of this group identification is relatively high expectations of reciprocity and enhanced cooperation within groups but comparatively low expectations of reciprocity and higher levels of competition between groups.³⁹ The second dimension in which consequences are observable relates to shared cognitions and conventions. Distinct from individualistic models, the social contextualist approach to understanding group decisions emphasizes the role of ‘social sharedness’, the degree to which information, ideas and an understanding of the world is shared by a group.⁴⁰ Diplomats are a community often described as sharing a culture that allows for cross-cultural communication and high levels of shared understanding.⁴¹ By extension, social sharedness is likely to be a key variable in understanding negotiation outcomes that are reached under the preconditions described above, due to the development of socially shared cognitions between negotiators.⁴² The third category into which consequences fall relates to the development of informal networks. Where multilateral negotiations are continuous and institutionalized, informal networks often emerge between diplomats, experts, international organization officials and a variety of other types of actors. It is this diversity of potential members that distinguishes informal networks from the coalition-type groups described under the first dimension of consequences. One potential outcome of the formation of such networks is an increase in trust between network members.⁴³ Another is actors using their network membership to increase their effectiveness in negotiations by aligning themselves with a powerful

institutional figure, or drawing upon the skills, specialized knowledge, power, influence or resources of other members.⁴⁴

This analysis takes place in three sequential steps, the first of which is to determine whether the background conditions under which social relations are more likely to bear influence were present in the APSA negotiations. If those conditions are observable in the empirical data, the second step is to gauge whether, and to what extent, social contextual factors bore an influence within the three broad consequential areas identified by Jönsson. If consequences are observable in those areas, the final step will involve making a well-supported comment on the value of considering social contextual factors in research on international negotiations. First, however, comes a brief comment on the specifics of the case being analyzed here.

The case study

In addition to the general background provided in the introduction, a further note is necessary here on how the specifics of the APSA case study will fit into the overall research design of the article. This section briefly discusses which negotiations will be focused upon as part of the analysis, along with a justification for their selection. It also includes some details on the type of data that will be drawn upon and measures taken to ensure its reliability.

Because APSA is a broad framework involving a wide range of mandates that span several divisions of the AU's institutional structure, it is necessary to specify which negotiations, amongst the many formative ones that took place, are focused upon. The most practical way to make this methodological choice is to select according to negotiation outcomes rather than particular OAU/AU meetings, since aspects of the Architecture's institutional design were discussed and revisited over the course of multiple negotiations, some spanning several years. Accordingly, four elements of APSA's structure have been selected as the lead-in points to the negotiations that will be analyzed. Each has been chosen according to two guiding criteria, the frequency with which the origins of such features are investigated in the wider field of international institutions analysis, and the extent to which the introduction of these features represents a ceding of sovereignty on the part of member states. The first criterion is employed so as to maximize the contribution this article can make to the wider field and to avoid potential criticisms of 'cherry-picking' negotiation outcomes that would confirm the theoretical expectations. The second is utilized because negotiation outcomes that result in a ceding of sovereignty are amongst the most interesting to investigate, given the emphasis that most mainstream international relations paradigms, as well as the bargaining and problem solving approaches to negotiation analysis, place on the retention of sovereignty by states. In the context of the AU and its predecessor organization, such decisions could easily be argued to

be of even greater interest, given how protective the continent's leaders have traditionally been of their sovereignty. A seminal article by Koremenos, Lipson and Snidal titled 'The Rational Design of International Institutions' identifies five key dimensions of organizational design that are commonly focused upon by scholars, four of which are drawn upon here to select relevant negotiation outcomes.⁴⁵ The four areas relate to the scope of issues covered by an institution, the centralization of authority, the rules for controlling the institution and the flexibility of its institutional rules. Koremenos *et al* added membership as the fifth dimension of organizational design but that is discarded here for lack of relevance, as the makeup of the OAU membership did not change when the organization became the AU, nor was there any debate at the time about adding or removing members as part of the transformation.

Manifestations of the above four features have been selected within APSA based upon how closely they reflect that particular dimension and how great a cession of sovereignty their institutionalization implies. Scope, quite simply, refers to the policy scope of APSA or, put another way, which issues fall under the remit of the Architecture. The centralization of authority is used as quite a broad term by Koremenos *et al*, but is narrowed down here to centralized enforcement capability, which in the AU is most prominently reflected in the organization's intervention mandate. In relation to control of the institution, although the Assembly of Heads of State and Government is the AU's primary organ overall, the PSC is the most significant decision-making body with respect to security. A decision to intervene in a member state without the consent of the state concerned is the only significant security decision on which the PSC is relegated below the Assembly, though such a decision first requires the recommendation of the PSC. The equity marking the Council's rules governing membership and decision-making are of particular relevance in terms of selecting negotiation outcomes based upon the sovereignty criterion. In relation to flexibility, the AU has a defense pact, requiring members to consider a threat or act of aggression against one member as if it had been made against all, which provides an interesting test case for the rigidity of the organization's rules.

The negotiations focused upon here are those that bore influence over the drawing up of instruments that gave legal undergirding to the above four design features. In relation to scope, these instruments are the founding 2000 Constitutive Act (CA), the 2002 Protocol Establishing the Peace and Security Council (the Protocol), and the 2004 Common African Defense and Security Policy (CADSP), each of which contributed toward a rich definition of the AU's security remit. Though the AU's right to intervene is stipulated in each of the above three instruments also, the CA is of most significance in relation to enforcement as it was there that it was first established. Rules of procedure for the PSC are captured in their entirety in the Protocol, and the conditions

governing the AU pact are covered in the 2005 AU Non-Aggression and Common Defense Pact (NACDP). Negotiations took place in official inter-governmental forums, organized specifically for that purpose, but also in informal and occasionally secretive circumstances. Consequently, it is not possible to provide a complete list of all the negotiation meetings held, since several of them were unofficial and out of public view. The overall time period being considered, however, is easier to establish, since such negotiations would have occurred in the years immediately preceding the adoption of the relevant legal treaty. Therefore, all of the negotiations of significance to this study are deemed to have occurred between the adoption of the Sirte Declaration in 1999, which signaled the OAU's intent to establish a new organization, and the 2005 adoption of the NACDP, the last of the above legal instruments that bore significant influence over the four organizational design features of APSA being focused upon in this article.

The data used to gauge the significance of the factors identified by the social contextualist literature is drawn from a broad selection of sources. Though not all of them are utilized in this article, I conducted a series of 27 interviews in the first half of 2017, both in person and via Skype, with officials and diplomats from the South African Department of Foreign Affairs (DFA)⁴⁶ and the Nigerian Ministry of Foreign Affairs (MFA). There is something approaching a consensus in academic, historical and media accounts regarding the predominance of Pretoria and Abuja in guiding the establishment and design of the AU and APSA.⁴⁷ Public representatives and government advisors from both countries also featured in the interview sample, including Nigerian President from 1999 to 2007 Olusegun Obasanjo and South Africa's Deputy Foreign Minister from 1999 to 2008, Aziz Pahad. During the same period, I also conducted interviews with a number of officials from the AUC, including some that had previously worked at the OAU Secretariat. All of the unelected state officials that were interviewed and all bar two of the AUC interviewees, opted to remain anonymous, which many acknowledged allowed them to speak more freely on sensitive topics. In addition, a broad selection of primary and secondary documents are utilized, including memoirs, speeches, official OAU/AU reports and legal instruments, documentation from the DIRCO foreign policy archive in South Africa and the Olusegun Obasanjo Presidential Library in Nigeria, media reporting from the period and existing academic literature.

Several efforts to engage members of the Gaddafi family and former members of the Libyan leader's regime in research interviews unfortunately proved fruitless. Potentially, this absence leaves the analysis vulnerable to criticism over providing a skewed account of the process, by including interview data from several members of one of the two major camps in negotiations, but not from the other. A number of measures have been taken to counter such criticisms, the

most important of which is the adoption of a guiding principle that claims made by Gaddafi's opponents regarding his negotiation positions and behavior are only used when corroboration can be found from other independent sources. The more independent and numerous such sources are, the more reliable the accounts they inform or claims they corroborate are deemed to be. Such sources include interviews conducted with officials from the OAU/AU, who of course have their own agendas but whom I consider more objective and less susceptible to reputational incentives than elected officials and other government representatives. Some documentation from the Libyan regime, such as draft proposals, as well as official OAU/AU reports on negotiations and other forms of state consultations, can also be drawn upon. It is to this study's benefit that Gaddafi had a tendency toward public and often ostentatious proclamations about his plans for Africa, as it means there is a considerable field of media coverage that can be examined for verification purposes.⁴⁸ The Libyan leader also features prominently in several academic studies with a focus on the AU or African international affairs from this period, which provides yet another well of corroborative data. Utilizing this broad selection of sources helps facilitate a rigorous process of cross-checking of claims, which in turn helps strengthen the foundations upon which the arguments of this article are built.

Analysis

The task of determining whether or not the APSA negotiations satisfy the preconditions under which social context is likely to bear an influence is relatively easy. Regarding whether the negotiations were continuous or of a 'one-shot' nature, they were very much in the former category. It was during a debate on collective security and conflicts on the continent between OAU leaders at a 1999 summit that Col. Gaddafi intervened to call for an extraordinary summit to discuss ways of making the organization more effective, a decision that ultimately led to the OAU's replacement.⁴⁹ Over the next number of years, official and unofficial discussions occurred in relation to the future security direction of the new organization, in some instances in official forums such as the Assembly, but other times on the fringes of intergovernmental conferences, within groupings of leaders or at bilateral meetings between states. One diplomat that was deeply involved in such discussion said that the debates that took place at the time, regarding the security role of the organization, "had been raging since 1963" when the OAU was founded.⁵⁰ In relation to whether or not the APSA-related negotiations were of a more problem solving or bargaining nature, it is also quite clear that they were much more characteristic of the former than the latter. As indicated earlier, the negotiations that this article addresses were not focused upon division of resources or any other type of economic gains, but on establishing a framework for tackling the scourges of instability and

conflict in Africa. Of course, later negotiations, such as those held to discuss the operationalization of the AU's African Standby Force (ASF) would have been closer in nature to a bargaining situation, given that issues such as troop contribution levels were under discussion, but those are not a point of focus here.

Regarding the third and final circumstance, whether preexisting relationships existed between negotiators, this precondition also appears to be well satisfied. Negotiations took place across many levels, most of which involved actors with long-standing working or personal relationships. Most of the fine detail of each of the legal instruments listed in the previous section was honed by permanent representatives of AU member states, each of whom were stationed full-time in Addis Ababa where they engaged regularly with one another and with officials from the AUC. On the more controversial elements of treaties or protocols, on which the permanent representatives could not agree, actors from higher levels of government – often the heads of state themselves – would assume the negotiating role. Even at that level though, there was generally a strong sense of familiarity, in part because of the longevity of many African leaders' tenures, meaning many heads of state had years' of experience in dealing with one another on a bilateral level or through multilateral interaction at the level of the OAU. A significant number of governments and leaders in Sub-Saharan Africa, particularly from the 'Frontline States', also had a long history of supporting the African National Congress (ANC) in the organization's years of exile. By the turn of the Millennium, a significant number of those formerly exiled ANC figures were South African cabinet members and saw many familiar faces at OAU/AU summits. For example, the two leaders most associated with the establishment of the AU – South African President Thabo Mbeki and his Nigerian counterpart Olusegun Obasanjo – first met in the 1970s, during the former's years as an exile. Obasanjo's first period as Nigeria's head of state ran from 1976 to 1979, when he led a military regime with which Mbeki established diplomatic relations on behalf of the ANC, leading to a long and often fruitful relationship between the two.⁵¹ Mbeki and Obasanjo would go on to form the nucleus of a group of states, headed by leaders of a broadly similar ideological persuasion, that referred to themselves as the 'Like-minded Five'.⁵² In addition to South Africa and Nigeria, the group featured Ethiopia, Algeria and Mali, and went on to become the most influential coalition involved in the APSA negotiations. For the most part, the Like-Minded Five were bound together behind shared positions on how the AU and APSA should be constituted. In many instances, they were opposed by another coalition of states, centered around Libya, most of which were relatively poor and shared a dependence on Muammar Gaddafi's largesse rather than a genuinely shared ideological vision.⁵³ Though the members of this looser coalition did not assign their group a title, for ease of reference it is labeled here the Gaddafi Alliance. While its membership was of a more fluid nature, the states within the Alliance

included Togo, Sierra Leone, Burkina Faso, The Gambia, Cape Verde, Central African Republic, Madagascar, Niger, Somalia, Malawi and Equatorial Guinea.⁵⁴

As the preceding account indicates, a strong argument can be made for the presence of the three preconditions for the development of social relations in the circumstances surrounding the negotiations held to plan the APSA framework. Further analysis suggests that consequences can also be observed across the three broad dimensions highlighted by the social contextualist framework. Within the Like-Minded Five, but less so within the Gaddafi Alliance, there are indications of strong group identification as well as high levels of intra-group cooperation and expectations of reciprocity. Inter-group dynamics, at least between the two primary coalitions in negotiations, were also marked by competition that at times was bitter, and by low expectations of reciprocity. The shared ideological persuasion of the Like-Minded Five's leaders had led them to cooperate with one another, and other like-minded states, in building the New Partnership for Africa's Development (NEPAD), an economic development programme that started life outside of the OAU but was quickly co-opted in the Organization's final year of operation. NEPAD was originally conceived in 1999 by Mbeki, Obasanjo and Algerian leader Abdelaziz Bouteflika on the fringes of a G7+ Russia meeting. They had been sent to the meeting by three different forums, of which each was a chair, Mbeki of the Nonaligned Movement, Obasanjo of the G77+ China and Bouteflika of the OAU. The lack of interest shown at the time by the superpowers, according to Obasanjo, served to galvanize cooperation between the three.

They met us briefly in Tokyo, but they dismissed us as African leaders within 30 minutes or so. The three of us went back to our hotel and said, 'Look, if they had asked us what is Africa's programme we would have had nothing to put on the table'. So there and then we decided we had to do something tangible and that was the beginning of NEPAD.⁵⁵

Ethiopian leader Meles Zenawi was an outspoken admirer of Mbeki and also an early supporter of NEPAD, which he saw as providing an alternative to strict adherence to the neoliberal paradigm and a route out of his country's high dependence on foreign aid in the 1990s. In later years, Zenawi credited Mbeki as one of the most important figures in transforming the OAU into the AU and standing firm in the face of Gaddafi's "silly" proposals for the new organization, the most prominent of which called for the establishment of a single 'United States of Africa' federal state.⁵⁶ Though Mali was a much smaller state than the other members of the Like-Minded Five, its then President Alpha Oumar Konaré also strongly identified with the worldview of the other four leaders. At a banquet held in Konaré's honor in 2000, Mbeki said that Mali and South Africa were not just sister Republics because they were both African countries, but because they shared "a common and noble vision and are committed to do everything they can to transform that vision into the practical reality of Africa reborn".⁵⁷

In addition to their similar outlook, group identity within the Like-Minded Five was further bolstered by its shared opposition to the coalition around Gaddafi. The Libyan leader was viewed with suspicion by his rivals, not only because of his radical (and radically different) reform plans, but because of his relatively recent, renewed interest in Africa. In a statement representative of this view, President Obasanjo said: “I think Libya came into the AU strongly when it was looking for a role for herself after it had found no role in the Arab League”.⁵⁸ Gaddafi himself was not shy about proclaiming his animosity toward the Like-Minded Five grouping. At the inaugural summit of the AU in 2002, the Libyan leader used one of his speeches to disparage the champions of NEPAD for their promotion of democracy, good governance and human rights as a method of incentivizing Western investment. Gaddafi told the assembled heads of state: “If they (the West) want to impose on us conditions, we refuse that ... We are not children that need someone to teach us ... We have our own style of life”.⁵⁹ In an illustration of the level of competition and rivalry between the Like-Minded Five and the Gaddafi Alliance, one South African negotiator said that, to an even greater degree than a common vision, it was a shared opposition to the Libyan leader’s plans that best facilitated their arrival at common positions over the future of APSA and the AU.⁶⁰

Focusing on the negotiations that addressed the specific features of APSA itemized earlier, further highlights intra-group cooperation and inter-group rivalry. The Like-Minded States shared a vision for the scope of APSA that revolved around issues that had been considered ‘internal matters’ by the OAU, namely democracy, human rights and human security. The Gaddafi Alliance, by contrast, sought to restrict the AU’s security remit to protecting the continent from aggression that originated outside of Africa.⁶¹ One of the critical factors that allowed the former group to realize their vision over Gaddafi’s was identity, and not just in the sense of the identity shared between the Five but that which existed amongst many African states that shared their suspicion of Gaddafi’s intentions. A quote from a former South African diplomat at the AU illustrates the point.

The fact that it was coming from Gaddafi already made it a ‘no, no’ to many countries. You had this country, which had just left the Arab world because it disagreed with them, and you had this leader who said he is now going to turn around and deal with the Africans and tell them the direction they should take.⁶²

One of the few points of negotiation on which the Like-Minded Five did not initially agree was the issue of granting the AU a right to intervene in member states’ territories, a proposal which Libya completely opposed. Mali, the only objector among the Five, feared discarding the principle of noninterference could lead to subjugation of smaller states by bigger ones, and included no provisions for intervention in its initial draft proposal for the Constitutive Act.⁶³ Ultimately, though, Mali rowed in behind the position of the other four, more out of a desire to deny momentum to Libyan proposals than a genuine change of stance.⁶⁴

There was also some division, although of lesser consequence, between the Like-Minded Five on the question of how membership of the PSC should be decided. Nigeria, Algeria, Mali and Ethiopia were all in favor of establishing permanent seats on the Council for the continent's big powers.⁶⁵ Pretoria, however, favored a system that allowed for two and three year seats, with each of Africa's five regions awarded one of the latter type. The South African proposal envisioned that seats would be awarded in open elections but according to criteria centered on the ability to contribute to peace and security, and respect for human rights and constitutional governance.⁶⁶ Within Southern Africa, no state would be able to come close to South Africa in meeting those criteria for the foreseeable future so, in effect, Pretoria's position was not all that far removed from the other four. Inter-group rivalry in relation to the PSC rules of procedure are not as apparent, in part because Gaddafi's position on the matter changed over time. Libya had initially supported an ECOWAS proposal for a 17-member organ with 10 permanent seats, one of which would likely be held by Tripoli. When it became apparent that such a proposal would never garner enough support from member states and the membership started to debate having a smaller number of permanent seats, one of which was much less likely to be held by Libya, Gaddafi opted to oppose permanency.⁶⁷ The debates over the AU Defense Pact were also less rivalrous. The impetus for the Pact came from Libya, with Gaddafi viewing the treaty as a stepping stone on the way to realizing his vision for a federal United States of Africa with a single standing army.⁶⁸ The 2005 NACDP ultimately represents a compromise between both sides, as it reflects Gaddafi's desire to move gradually toward a continental army, which he envisioned being led from Tripoli, while also containing enough flexibility that it could never be invoked in a way that forced signatories to commit their forces to the defense of states that had prompted an attack by acting recklessly. In the words of Said Djinnit, the first AU Commissioner for Peace and Security and a consistent presence at APSA negotiations, "there is nothing enforceable (in the NACDP). It is just a statement that we are together, that we should stand together to face external aggression".⁶⁹

Social sharedness also appears to have played a significant role in negotiations, particularly those that took place in relation to the scope of APSA and the intervention mandate of the organization. Surprisingly, given the resolute rejection of a peacekeeping function for the OAU a decade earlier by heads of state, advocates were able to bring those states outside of the Gaddafi Alliance on to their side without too much difficulty.⁷⁰ Of course, the intervening decade had seen much change in dialogue around human security and the 'Responsibility to Protect'. However, based upon the data observed here, African experiences seem to have been a stronger influence on policymakers' minds than the global normative environment. The years since Salim's largely unsuccessful reform efforts had

been the bloodiest in Africa's history, with genocides occurring in Rwanda and Burundi, and major conflicts taking place in Somalia, Liberia, Sierra Leone and the Democratic Republic of Congo, to name but a few. In many cases, a critical factor in the triggering of conflicts had been internal matters, such as human rights abuses and poor governance. The decade had been a learning experience for African leaders, many of whom felt shame at the ineffectiveness of the OAU to address humanitarian catastrophes, such as the Rwandan genocide.⁷¹ "Rwanda loomed large as a reminder of just how horribly things could go," according to Chris Landsberg, one of the drafters of the AU's Vision and Mission Statement, "It is because of Rwanda in particular that genocide and crimes against humanity are a stated unequivocal pretext for intervention".⁷² The tragic conflicts of the 1990s had also bolstered a widely shared view amongst OAU/AU leaders and diplomats that Africa could not rely upon the outside world, and in particular the UN, for help.⁷³ One of the manifestations of this was evident in negotiations in relation to the rules of procedure for the PSC. Although four of the Like-Minded Five favored permanency (with Pretoria favoring permanency of a sort), the vast majority of OAU/AU members were vehemently opposed to either permanent seats or the awarding of veto power to members. Africa had suffered too much, both in the 1990s and in the decades previous when the continent was a battleground for Cold War rivalries. The wielding of veto power by permanent members on the UN Security Council (UNSC) was seen as a highly significant part of the problem, meaning a similar arrangement never stood a chance of being replicated on the PSC.⁷⁴ Although debate occurred on the question of permanent members, no serious discussion about introducing veto power took place. Speaking years later, Said Djinnit remarked: "Africa had been fighting the veto in New York and would not establish a veto at its own level".⁷⁵ Out of the four negotiation issues focused upon here, social sharedness only appears to have been a non-factor in relation to the Defense Pact.

Focusing on informal networks, the third and final dimension in which social relations are expected to bear influence, also reaps value in analysis of the APSA negotiations. South Africa and Nigeria, in particular, appear to have utilized their resources and influence across multiple networks to realize their goals. The two government's joined forces with arguably the most powerful non-state actor in the process, Salim Ahmed Salim, at an early stage in order to use the Secretary General's influence over states that were not convinced by Pretoria and Abuja's overtures alone.

We quickly identified that Salim Salim would be on our side ... Much as he was meant to be neutral, everyone really was of the opinion that the ideas of Gaddafi would not work. Salim Salim would use the secretariat, in my view, to push forward what he thought was correct, and in most cases this coincided with what we stood for as South Africa and Nigeria. We collaborated and we used him quite a lot. Of course, then he would reach out to some of the countries in his own way, to the ministers and so on, who cared to listen to him.⁷⁶

Out of the four issues being primarily focused upon in this article, Salim's efforts, as described above, appear to have borne the most significance in relation to APSA's scope and the AU's right of intervention. Although the Nigerian government did not fully realize its ambitions in relation to the PSC rules of procedure, a significant aspect of their efforts to do so also involved the use of informal networks. In 2001, Foreign Minister Sule Lamido approved the deployment of an officer from his office to the OAU Secretary General's department to assist with the legal aspect of the organizational transformation, one aspect of which was drafting the PSC Protocol. According to the former Director of African Affairs in the MFA, Olufemi George, who proposed the transfer, the legal officer continued to receive direct guidance from, and provide regular briefings to, his foreign minister and President Obasanjo after his secondment to Addis Ababa.⁷⁷ As was the case for the previous two dimensions, the AU Pact appears to be the only of the four negotiation outcomes focused upon that remained relatively unaffected by the use of informal networks.

In sum, consequences of the sort predicted by the social contextual framework under the set preconditions are observable, in various respects, across three of the four negotiation outcomes analyzed. Negotiations in relation to the NACDP do not appear to have been influenced to any great extent by social contextual factors. Nor do such factors appear to have borne as much influence over Col. Gaddafi's negotiation strategies as they did over those of the Like-Minded Five.

Conclusion

In demonstrating the valuable insights that can be derived by applying a lesser-used analytical framework to a relatively unexamined set of negotiations, this article has made an addition to knowledge regarding how such processes evolve and transpire. A number of interesting takeaways can be drawn from the analysis and contribute to the discussion that Jönsson sought to initiate on the significance of social processes to international negotiations. The case considered here satisfies each of the preconditions set out and displayed consequences within each of the three areas charted by Jönsson. Intra-group cooperation and inter-group competition were highly evident in the APSA negotiations, as were the effects of social sharedness and the use of informal networks by negotiation participants. The appearance of a correlation between the preconditions and the consequences lends support to the social contextual framework's overarching thesis that in certain types of scenarios, social relations can be expected to exert increased influence over the evolution and outcome of negotiations. In highlighting critical social factors that influenced the negotiations, this article also lends support to Jönsson's claim that "predominant negotiation theories, and game theory in particular, proceed from an 'undersocialised' conception of human action".⁷⁸ Features that are crucial to understanding the APSA negotiations, such as the use of informal OAU/AU channels by the Like-Minded Five

or collectively-held shame over the Rwandan genocide, are far less likely to be highlighted by more prominent international relations theories, founded in self-interested rationality. The findings, therefore, highlight the benefits that can be derived from incorporating a greater plurality of factors than have traditionally been considered by those more established analytical frameworks. They also support Starkey, Boyer and Wilkenfeld's contention that, in negotiation analysis, "assumptions about uniform state motivations and responses to different situations – which are almost always oversimplified – are now more problematic than ever".⁷⁹

On that latter point, future research could delve further into the question of the differentiated impact of social factors on actors involved in the same negotiations. Social processes appear to have exerted a more significant influence on the Like-Minded Five's negotiation behavior than that of the Gaddafi Alliance, though this claim comes with the caveat that the available corroborative data on the former is stronger than it is for the latter. One could put forward an argument that social processes took a back seat in the Gaddafi Alliance because the coalition was built more on the dependence of poor states and Tripoli's willingness to purchase support than on shared worldviews, common identity or communal learning. Future international negotiation analysis, that employs the social contextualist framework, could help shed more light on such disparities in susceptibility to social influences. In turn, this could lead to a more nuanced version of Jönsson's preconditions and an improved understanding of when and on whom social processes are more likely to bear influence.

In addition to making a contribution to the theoretical discussion around international negotiation analysis, this article pulls back the curtain on a process that has received very little attention from scholars of international relations or history. Though research on the origins of the AU and APSA remains scant by comparison to that which has been conducted on comparable, Western institutions, there is enough scholarship that one can justifiably refer to it as a separable branch of literature.⁸⁰ However, nowhere within that relatively scant field has significant analytical focus been afforded to the negotiations that occurred to establish APSA or the AU. Of those studies that have granted some, however small, attention to the process, none preceding this article have drawn upon interview data with participants from the negotiations. This is not the first study to claim that South Africa, Nigeria, Algeria, Ethiopia and Mali played a critical role in the establishment of APSA.⁸¹ However, new insights into their operation as a group have been gained, such as details of the binding effect of their shared opposition to Gaddafi and the grouping's use of informal institutional channels to improve their chances at negotiation success. The article also counters claims made by others regarding Gaddafi's supposed role as the primary architect of the AU.⁸² Though the Libyan leader undoubtedly played an important role in kick-starting the process, he lost many of the negotiation battles and the eventual structure of APSA was far from what he had envisioned.

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- 52 Though the existence of this unofficial grouping was kept private at the time, in interviews for this study DFA and MFA officials from South Africa and Nigeria, as well as President Obasanjo and former South African minister Aziz Pahad, confirmed the cooperation that took place between this coalition and the influence it bore over negotiations. The above interviews were conducted on various dates between March and November of 2017 over Skype and in person in Johannesburg and Abeokuta.
- 53 A number of Nigerian and South African officials made this claim regarding Gaddafi's looser coalition of states. His strategy of using foreign aid, investment or other forms of assistance in exchange for votes also featured in media reports from around the time of the AU's establishment. Examples of such reportage include: Ranjeni Munusamy, "Gaddafi's Mad Plan for Africa," *Sunday Times* (Johannesburg edition), July 14, 2002; Basildon Peta, "Gaddafi and Mbeki fight over African parliament," *The Independent*, July 4, 2003; The Economist, "Qaddafi says farewell, Arabia, and sets his sights on Africa," *The Economist*, April 22, 2009.

- 54 This list of states was offered by Interviewees A and B, two former diplomats at the AU from South Africa and Nigeria respectively, both of whom added that states would regularly waver in their support of Tripoli depending on the issue at hand. Interviewee B provided answers in an open-ended questionnaire and subsequent e-mail correspondence across various dates in May 2017.
- 55 Obasanjo, “Olusegun Obasanjo”, 37.
- 56 Meles Zenawi, “Meles Zenawai,” in *The Thabo Mbeki I Know*, 41-51; Sifiso Mxolisi Ndlovu and Miranda Strydom eds., 2016.
- 57 Thabo Mbeki, “Toast Proposed at the Official Banquet for President Alpha Omar Konaré of Mali,” (speech, Pretoria, March 31, 2000), Thabo Mbeki Foundation, <https://www.mbeki.org/2016/06/20/toast-proposed-at-the-official-banquet-for-president-alpha-omar-konare-of-mali-20000331/>.
- 58 Interview: President Obasanjo, interviewed March 6, 2017 in Abeokuta.
- 59 Mondli Makhanya and Ranjeni Munusamy, “Gaddafi parades on Mbeki’s reign,” *The Sunday Times* (Johannesburg edition), July 14, 2002.
- 60 Interviewee A: Former South African diplomat at the OAU/AU.
- 61 Olayiwola Abegunrin, “From Organization of African Unity to African Union,” in *Africa in Global Politics in the Twenty First Century*, eds., Olayiwola Abegunrin (New York, Palgrave Macmillan, 2009), 141-172.
- 62 Interviewee A: Former South African diplomat at the OAU/AU. Support for this claim can also be found in media reporting regarding Gaddafi’s relations with African leaders from this period. The Libyan leader’s history of meddling in the domestic affairs of African states, xenophobic attacks against black Africans in Libya under his rule, and his calls for the dismembering of Nigeria into Christian and Muslim states were all reported to have prompted sentiments of suspicion on the part of African leaders toward Gaddafi. Adekeye Adebajo, “Gaddafi: the man who would be king of Africa,” *Guardian*, August 26, 2011; Barry Malone, “Insight: Africa to miss Gaddafi’s money, not his meddling,” *Reuters*, last modified November 11, 2011, <https://www.reuters.com/article/us-gaddafi-africa-legacy-f/insight-africa-to-miss-gaddafis-money-not-his-meddling-idUSTRE7AA36E20111111> (accessed November 30, 2019).
- 63 Girmachew Alemu Aneme, *A Study of the African Union’s Right of Intervention Against Genocide, Crimes Against Humanity and War Crimes* (Nijmegen: Wolf Legal Publishers, 2011).
- 64 Interviewee A: Former South African diplomat at the OAU/AU.
- 65 Interviewee B: Former Nigerian diplomat at the OAU/AU. Mali’s position on the matter, which seems the most surprising given that it was not one of Africa’s big powers, was also expressed by Konaré in a speech he gave in 2001, advocating for the PSC’s replication of the UN Security Council structure, available: <http://www.panapress.com/Konare-Advocates-African-Security-Council-12-487454-20-lang2-index.html>.
- 66 Interviewees A and C: Former South African diplomats at the OAU/AU. Interviewee C interviewed over Skype, November 20, 2017.
- 67 Interviewee B: Former Nigerian diplomat at the OAU/AU; Franke, *Security Cooperation in Africa*, 97.
- 68 Jakkie Cilliers, *Peace, Security and Democracy in Africa? A Summary of Outcomes from the OAU/AU Summits in Durban* (Pretoria: Institute for Security Studies, 2002).
- 69 Interview: Amb. Said Djinnit, first Commissioner for Peace and Security at the AU, interviewed over Skype, May 9, 2017.
- 70 Interviewee A: Former South African diplomat at the OAU/AU; Interview: Admore Kambudzi, consultant on APSA negotiations and current Acting Director of the AU Peace and Security Department, interviewed April 22, 2017 in Addis Ababa.

- 71 This sentiment was expressed in interviews by Interviewees A, B and C as well as Amb. Said Djinnit and Chris Landsberg, the latter of whom drafted the AU's Vision and Mission Statement, and was interviewed on May 30, 2017 in Johannesburg. It is also evident in a report commissioned by the OAU to investigate the Rwandan genocide, which condemned the Organization and "a large majority of African heads of state" for their "shocking moral failure" in remaining silent for much of the genocide; Organization of African Unity, *Rwanda: The Preventable Genocide* (Addis Ababa: OAU, 2000), 15.87.
- 72 Interview: Chris Landsberg.
- 73 For example, section 13.1 of *Rwanda: The Preventable Genocide* states that members of the UN Security Council "consciously chose to abdicate their responsibility for Rwanda" by failing to equip the mission in the country with sufficient resources and an appropriate mandate to prevent the worst atrocities of the genocide.
- 74 Interview: President Obasanjo; Interview: Ayanda Ntsaluba, former Director General of the South African DFA, interviewed over Skype, June 13, 2017; Interviewee A: Former South African diplomat at the OAU/AU; Interviewee B: Former Nigerian diplomat at the OAU/AU.
- 75 Interview: Said Djinnit.
- 76 Interviewee A: Former South African diplomat at the OAU/AU.
- 77 George, *From Rookie to Mandarin*, 588-9.
- 78 Jönsson, "Relationships between Negotiators," 20.
- 79 Brigid Starkey, Mark A. Boyer and Jonathan Wilkenfeld, *International Negotiation in a Complex World*, 4th ed. (London: Rowman & Littlefield, 2015), 5.
- 80 Tieku, "Explaining the Clash"; Franke, *Security Cooperation in Africa*; Samuel M. Makinda and F. Wafula Okumu, *The African Union: Challenges of Globalization, Security, and Governance* (London: Routledge, 2008).
- 81 Vincent O. Nmehielle, "The African Union and Africa Renaissance: A New Era for Human Rights Protection in Africa?" *Singapore Journal of International & Comparative Law* 7, no. 2, 412-446; Bjørn Møller, "The African Union as a Security Actor: African Solutions to African Problems?" Crisis States Research Center Working Paper no. 57, available: <http://eprints.lse.ac.uk/28485/1/WP57.2Moller.AU.pdf> (accessed December 1, 2019).
- 82 Ethan Chorin, *Exit Gaddafi: The hidden history of the Libyan revolution* (London: Saqi, 2012); Martin Welz, *Integrating Africa: Decolonization's Legacies, Sovereignty and the African Union* (London: Routledge, 2013).